

Andrew Baum (AB-3783)
Britton Payne (BP-5858)
FOLEY & LARDNER LLP
90 Park Avenue
New York, New York 10016
Tel: (212) 338-3527
Fax: (212) 687-2329

*Attorneys for Plaintiffs
DCI A/S and Kelsen, Inc.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DCI A/S, a Danish company)
and KELSEN, INC., a New York)
corporation,)

Plaintiffs,)

v.)

CIVIL ACTION NO. 09-CV-8047 (VM)

DANCO IMPORT, INC., d/b/a Jacobsens)
Bakery USA Ltd., a Florida Corporation,)
and JACOBSENS BAKERY LTD., a)
Danish company,)

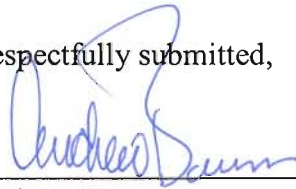
Defendants.)

VOLUNTARY NOTICE OF DISMISSAL SOLELY AS TO DANCO IMPORT, INC.

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs DCI A/S and Kelsen, Inc. hereby dismiss the within action only as to Defendant Danco Import, Inc. without prejudice, neither of the defendants having served either an Answer to the Complaint or a motion for summary judgment.

Dated: December 7, 2009

Respectfully submitted,



Andrew Baum
Britton Payne
FOLEY & LARDNER LLP
90 Park Avenue
New York, New York 10016
Tel: (212) 338-3527
Fax: (212) 687-2329

*Attorneys for Plaintiffs
DCI A/S and Kelsen, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2009, I caused the foregoing **VOLUNTARY NOTICE OF DISMISSAL SOLELY AS TO DANCO IMPORT, INC.** to be served via e-mail to the following:

Jason M. Sneed, Esq.
Sarah Hsia, Esq.
Nadya Munasifi, Esq.
Alston & Bird LLP
jason.sneed@alston.com
sarah.hsia@alston.com
nadya.munasifi@alston.com



Britton Payne